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**Judiciary Committee**

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**HB 1520**

**Title:** An act relating to polygraph examinations of sexual assault victims.

**Brief Description:** Concerning polygraph examinations of sexual assault victims.

**Sponsors:** Representatives Williams, Rodne, Simpson, Moeller, O'Brien, Kirby and Kenney.

**Brief Summary of Bill**

- Prohibits law enforcement, prosecutors, and other government officials from asking or requiring a victim of a sex offense to take a polygraph exam as a condition to investigating the offense.

**Hearing Date:** 1/30/07

**Staff:** Trudes Tango (786-7384).

**Background:**

Polygraph examinations are sometimes used by law enforcement agencies as an investigative tool. Washington courts have stated that polygraph evidence is inherently unreliable as an indicator of deception. The results of a polygraph examination are not admissible as evidence in a trial without the stipulation from both parties.

The Violence Against Women Act (VAWA) established federal grant programs to assist states, local governments, and other entities in preventing and responding to crimes such as domestic violence and sexual assault.

One of the provisions in the 2005 VAWA requires grant applicants to certify that their laws, policies, or practices ensure that law enforcement, prosecutors, and other government officials do not ask or require a victim of a sex offense to take a polygraph examination as a condition to proceeding with an investigation of that offense.

**Summary of Bill:**

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Law enforcement officers, prosecuting attorneys, and other government officials may not ask or require a victim of an alleged sex offense to submit to a polygraph exam or other truth telling device as a condition to proceeding with the investigation of the offense. The victim's refusal to take a polygraph exam or other truth telling device shall not prevent the investigation, charging, or prosecution of the offense.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.